

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

VENSEL HARDY, 09-A-5308,

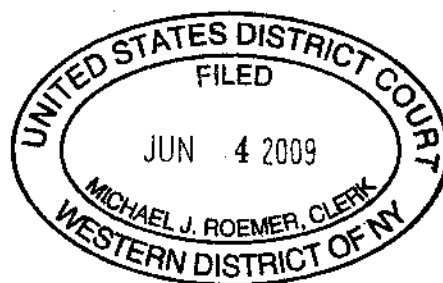
Plaintiff,

-v-

DECISION and ORDER
09-CV-217S(F)

SGT. JANE DOE OF A BLOCK;
C.O. JOHN DOE WORKING 5 COMPANY;
JOHN DOE, WORKING 2 COMPANY;
KNOWIKI, I believe his name is and
JOHN DOE, THE RELIEFS WORKING 5
COMPANY ON THE DAY WHEN I HAD
THE SIEZUER, are all Correction
Officer's at Attica Correctional Facility,

Defendants.



Plaintiff, who is incarcerated in the Attica Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

The Clerk of the Court is directed to file plaintiff's papers. In his complaint, plaintiff lists several John and Jane Doe defendants. Pursuant to *Valentin v. Dinkins*, 121 F.3d 72 (2d. Cir. 1997)(per curiam), the Court requests that the Attorney General of the State of New York ascertain the full names of the corrections staff working at the times and places indicated by plaintiff in his complaint for the purpose of identifying the John and

Jane Doe defendants plaintiff seeks to sue. Those dates are October 7 or 8, 2008, the date on which he suffered a seizure or other event that cause him to be removed from his cell; November 5, 2008 the date when an officer came to investigate his grievance, and November 29, 2008, when he was pulled out of the yard line and searched. The Attorney General need not undertake to defend or indemnify these individuals at this juncture. This order merely provides a means by which plaintiff may name and properly serve the defendants as instructed by the Second Circuit in *Valentin*.


The Attorney General of the State of New York is hereby requested to produce the information specified above regarding the identities of the John and Jane Doe defendants by **July 2, 2009**. The information should be sent to the Pro Se Office, 304 U.S. Courthouse, 68 Court Street, Buffalo, New York 14202. Once this information is provided, plaintiff shall determine from the information provided to the Court the identities of the defendants he seeks to sue. Plaintiff may then amend his complaint to reflect the full names of the John and Jane Doe defendants, summonses shall be issued and the Court shall direct service on those defendants.

The Clerk of Court shall send a copy of this Order and the complaint to the Assistant Attorney General in Charge, 144 Exchange Street, Rochester, New York 14614.

SO ORDERED.

Dated:

5/29, 2009
Buffalo, New York


WILLIAM M. SKRETNY
United States District Judge